Epilogue: Violence and Order Present and Past

Penny Roberts

Published online: 15 Jun 2023.

Submit your article to this journal ⍈

Article views: 89

View related articles ⍈

View Crossmark data ⍈

Routledge
Taylor & Francis Group

Epilogue: Violence and Order Present and Past

Penny Roberts

Department of History, University of Warwick, Coventry, UK

ABSTRACT

Through war, coercion and conquest, violence has always been central to the establishment of political and social order. Thus, the relationship between violence and order is interdependent and, yet, we remain squeamish in admitting that fact. Violence is more readily associated with disorder, but that depends on who is wielding it and to what ends. As the editors of this volume assert in their introduction, what constitutes an acceptable use of violence is historically and culturally, and even individually, contingent and changes over time.

Through war, coercion and conquest, violence has always been central to the establishment of political and social order. Thus, the relationship between violence and order is interdependent and, yet, we remain squeamish in admitting that fact. Violence is more readily associated with disorder, but that depends on who is wielding it and to what ends. As the editors of this volume assert in their introduction, what constitutes an acceptable use of violence is historically and culturally, and even individually, contingent and changes over time. 'What did violence and order *mean* to different people in different times and different places?' they ask (7–8). As Philip Dwyer has also pointed out, in a wide-ranging essay on approaches to its study, 'violence will mean different things to different disciplines.'[1] Further, he states, violence is both universal and largely socially constructed. It can be seen by observers as either legitimate or illegitimate, but that definition, whether expressed by contemporaries or in modern scholarship, can also be fluid. Without understanding the historical context of regional variations and fluctuations over time, we cannot hope to explain patterns of violence. Dwyer, and others, are particularly critical of the influential and teleological arguments of human progression of psychologist Steven Pinker's *The Better Angels of Our Nature*.[2] They argue that Pinker's thesis rests on the selective use of extremely limited data on homicide rates for the premodern period and is, therefore, both simplistic and misleading. Historians concur that a much more nuanced critique is required to challenge our assumptions of, approaches to and uses of violence in the past, to which this volume aims to contribute. Most relevant for our discussion is Pinker's characterization of the Middle Ages as

CONTACT Penny Roberts ✉ penny.roberts@warwick.ac.uk 🖃 Department of History, University of Warwick, Coventry CV4 7AL UK

especially violent, overlooking the fact that it was actually the more centralized states of the early modern period that instituted a more coercive political order.

Fear and coercion are at the core of the relationship between violence and order which is the focus of this volume. It can be argued that mediaeval empires could not be established without the distraction and rewards of conquest, and order could not be upheld without the use of brutality by rulers to maintain their power. The editors rightly assert, and these essays clearly demonstrate, that 'in the medieval world violence and order were … closely bound to each other' (8). I would argue that this was also true of the premodern world more broadly. Even though, by the early modern period, states were more centralized and their rulers exerted more control, they could only do so through the acquiescence of elites. The nature of violence, whether private or public, tended to reinforce the social, political and divine order, justifying the actions of those in power and reinforcing their positions. Indeed, 'violence was an accepted way of life and revenge a natural counterpart to (nobles') concern for honor.'[3] Retaliatory retribution and the maintaining of feuds is, however, exhausting, dangerous and unpredictable. States never have a true monopoly of violence, but are always dependent on the reciprocal and conditional agreement of political and social elites.

In my own field, sixteenth-century France, the relationship between violence and order has generated lively debate: in particular, the role of popular violence, but also that directed by the crown against its subjects.[4] This was, after all, the time when the term massacre entered common parlance and the frequency of the (attempted) assassination of leading figures, including regicide, was a striking feature.[5] Notable, too, was the extraordinary violence of the punishments meted out for acts of treason and regicide, principally hanging, drawing and quartering. In his study of the early modern French nobility, *Blood and Violence*, Stuart Carroll claims that, 'civilization is built on violence.'[6] He challenges the Norbert Elias thesis of the civilizing process, demonstrating how the cycle of feud and revenge, and the payment of blood money in lieu of punishment, persisted among noble families well into the seventeenth century (and in some places beyond), a situation which the crown was helpless to prevent. The near royal monopoly over the power of clemency was important in building a stable kingdom, but 'the failure to uphold the peace in the feud … (was) to prolong vindicatory violence's effectiveness as a political tool.'[7]

Historians of any period argue that the rich and the powerful always get away with violence, and the justice system in most contexts is heavily weighted in favour of the social hierarchy. Control of the law is accompanied by judicial violence, as decided by the courts, leaving the problem of who then polices the lawmakers and law-enforcers. By contrast, this volume demonstrates the limitations of the assertion of a monopoly of violence by premodern authorities and just how unpredictable the outcome of the use of violence by the forces of order could prove to be. The editors establish four primary patterns in the relationship between violence and order: I would assess these as essentially defensive, destructive, creative and constructive, with potential overlap between. Several of the essays focus primarily on judicial and politically motivated violence. Karl Ubl discusses the use of judicial punishment by the Carolingian emperor Louis the Pious in the ninth century and its avoidance by those who could afford compensation. Matthew Strickland concentrates on political violence under Edward the Confessor in eleventh-century England, the use of exile and the absence of punitive royal

violence in contrast to the savage repression favoured by his predecessors. Yet, we also see the aggressive manipulation of the law alongside rituals of submission and reconciliation. Both of these reigns came to be perceived as weakened polities or regimes, but the reality was more complex. Punishment was carefully choreographed so that neither side would lose face; there was controlled assertion of might, with one rule for the aristocracy compared to others, that allowed for still more severe punishments if its members crossed a line. The use of violence was both defensive and constructive. Hans Jacob Orning, by contrast, focuses on the constant state of crisis in mediaeval Scandinavia as multiple parties were involved in varying coalitions. He argues that this was contained not chaotic violence and that pragmatic conflict resolution was used to secure a balance of power in opposition to the usual centralized state model. Its use was constructive and creative.

Hannah Skoda's discussion of the violent culture of late mediaeval universities reveals a different sort of self-governing elite with its own political and social structures and tolerance of violence. Activities included initiation rites incorporating verbal and physical violence, taunts and humiliation, as well as subversion, parody, inversion and bullying. She shows how violence was at the heart of university life, including interpersonal violence between and by students and discipline by institutions incorporating political and military elements. Scholars were involved in vitriolic intellectual disputes, which could lead to brawling, and studied texts that encouraged and glorified violence. So, the authorities condemned violence, but relied upon conflict, and university regulation both contained and generated violence. Its use was simultaneously destructive and constructive. In a different cultural context, Jennifer Jahner and John Tolan study the expulsion of Jews from England in 1290 and lawmaking as violence. Legal prohibition did not prevent violence. Tensions between church and state with regard to Christian/Jewish relations led to excommunication and urgent demands for the removal of the Jews by force. Invented ritual murder accusations were a necessary preliminary to the eradication of their legal protections. Violence was ultimately destructive. Likewise, Bettina Koch focuses on the violation of legal and moral rights as an abuse of power, specifically in the context of economic violence in the fourteenth-century Mediterranean. In particular, she examines the taking or confiscation of the goods of subjects by force, the manipulation of market prices, forced labour and unjust taxes, leading to the erosion of people's means of subsistence. In turn, these injustices, contrary to divine law, led to calls for the political violence of popular rebellion. Violence was by turns destructive and defensive.

To take a step back and look once again from the perspective of early modern France, William Beik describes popular protest as involving a 'distinctive mixture of crude violence and moral purpose.'[8] His central argument for a 'culture of retribution' indicates that people sought not just justice, but vengeance and punishment against the established forces of law and order, as well as those who colluded with them, such as tax collectors. Susan Desan, meanwhile, challenges the emphasis on cohesion over the political dynamics of conflict and power which she views as far more significant for understanding the context of popular violence. She states, 'cultural systems may indeed reinforce the community, sustain "order," and endow various actions with legitimacy and meaning. But they can also become vehicles for creating power and sowing discord.'[9] In such circumstances, violence plays a dynamic and creative role in challenging the established

order. However, acts of violence can also lead authorities to discredit otherwise legitimate acts of protest. This is as true of popular uprisings in premodern times, allowing for their labelling as 'rebellion' and excusing their harsh suppression and punishment, as it is for modern movements such as the Suffragettes or Black Lives Matter.

<p style="text-align:center">∗   ∗   ∗</p>

There is no doubt that attitudes to violence have changed. Writing from the perspective of Western Europe, the smacking of children at home or at school is a recent example of a once common practice that now meets with widespread disapproval. For Saint Augustine, punishing sinners was equivalent to chastising errant children, both practices were necessary and beneficial. In patriarchal societies, in particular, the physical disciplining of wives, servants and children by the head of household was expected and condoned; indeed, it was considered essential for the maintenance of a well-ordered household. This was not the case with the beating of a husband by a wife, which ran counter to the accepted social order and could result in public humiliation for both parties.[10] In general, the corporal punishment of social subordinates, unless it went beyond acceptable norms and resulted in serious injury or death, was not a subject of much comment. Within our own lifetimes, there has been a notable cultural shift in public opinion, and legal recognition, with regard to domestic violence, including non-physical coercion and 'gaslighting.' The damage done by verbal and psychological violence is now widely accepted and its impact recognized in law. This extension of the definition of violence also inflects the approach of historians as they explore the threat and performative nature of violence as much as its physicality. In practice, as the essays in this volume show, the violence done to the political, socio-economic and legal rights of individuals and groups can be just as destructive as acts of brutality. In other circumstances, the authors argue, the containment of violence within a restricted sphere can provide a more harmonious political and social environment.

Certain other types of violence similarly continue to provoke mixed reactions depending on the perspective of the observer. The execution of criminals for the most despicable crimes, for instance, another once commonly accepted practice (along with branding and maiming), is now limited to certain societies and their legal systems which allow for capital punishment. While cultural historians and anthropologists have explained the past use of ritual to dehumanize victims, 'equivalent acts now (involving mutilation, display or desecration of bodies) are seen as particularly heinous and defined as "evil".'[11] The treatment of animals has also been brought into the spotlight according to notions of humane and inhumane living conditions and methods of slaughter, in sharp contrast with practices of gratuitous torture and killing in the past.[12] Today, in all spheres of life, there is an expectation that all violent acts need to be justified and accountable, especially those carried out by the upholders and defenders of law and order. Self-defense is the most widely accepted justification for violence, while even soldiers and police are expected to observe restraint and to avoid excessive use of force.

Society's attitudes have also been reset with regard to the definition of sexual violence, such as the possibility of rape within marriage or the rape of sex-workers. Within certain limits, violence is allowable by mutual consent, as in contact sports such as boxing, but becomes more problematic when used as a defense for asphyxiation during so-called rough sex. Furthermore, recent discussions about what constitutes consent has been

brought into sharp relief by the 'Me Too' movement. The exposure and prosecution of celebrities, sports coaches, priests and other figures of authority, as pedophiles and sexual predators, reflects the extent to which the testimony of their victims is now accepted and validated rather than dismissed. Even so, myriad official reports show that the rates of prosecution and conviction for violent sexual crimes are nowhere near where they should be given their frequency, and the victims are still too often seen as in some way culpable. As with all violence, 'the meaning of rape is historically and culturally specific, and how it is understood depends in part upon a framework of storytelling.'[13] In the premodern period, for instance, because of the difficulty of using sexualized language, complainants concentrated on the violent rather than sexual aspect of such acts. It was important to emphasize that there had been resistance to the assault, while demonstrating a limited sexual knowledge which might otherwise implicate the guilt of the accuser. Even now, an undue focus on the sexual history or behaviour of the victim, or on what they were wearing, can serve to undermine a criminal prosecution.

The role of language and storytelling, through texts, pictures or other kinds of representation, equally affects how we understand the meaning and significance of all acts of violence in the past, whether as recounted by contemporaries or by historians. In their essays, Leah Klement and Benjamin Saltzman demonstrate how language shapes the description of the aesthetics or sensory experience of the violence of battle in mediaeval texts. They discuss the relative role of sound and sight, privileging ear-witness over eye-witness accounts; participants can look away, but it is more difficult to shut out sound and its impact. The poem *Psychomachia*, with its metaphorical battle for the soul, uses visual scenes of graphic violence in its descriptions and illustrations, including blinding, while the *Buile Shuibhne*, depicts violence through the sounds of battle which dominate the text and cannot be silenced, leading to madness. Violence provides a powerful dramatic narrative in storytelling and the modern world is not so different in this regard. In contemporary popular culture, in films, soap operas and books, just as in premodern sources, most enjoy the villain getting their violent comeuppance. Nevertheless, while there is universal human satisfaction in retribution, to demonstrate forgiveness to those who have perpetrated violent acts against you or your loved ones continues to be lauded and valorized, just as it did in Christian texts, leaving ultimate judgement to God.

Evidently, some perceptions of violence against certain groups or of certain types have not changed a great deal or have taken much longer to alter. As it has always done, the use of violence for both victim and perpetrator affects an individual's dignity, honour, pride and power. In this sense, the significance of honour for a mediaeval knight and for a nobleman challenged to a duel is the same as the stimulus to engage today in a drunken brawl, a gangland feud or a so-called honour killing. Violence against civilians, especially women and children, during warfare is often condemned, but sometimes excused, however erroneously, as 'collateral damage.' Such euphemisms are designed to reduce the horror and accountability of what has taken place.[14] The closeness or distance of such acts often affects perception – especially now that so much can be recorded on smart phones – and the question of the responsibility of the bystander as well as the offender scrutinized. Social media makes the perpetrators accountable like never before, but also facilitates the incitement and mobilization of hatred and violence. Self-harm, including eating disorders and body dysmorphia

as well as suicide, is still stigmatized and associated with shame and guilt, even though mental health is said to be at the top of the political and cultural agenda. Violence against certain groups, notably women, LGBTQ+ and ethnic minorities, is politicized. The debate generated can itself result in violence, often verbal but also physical, as people seek to retaliate against a view with which they fundamentally disagree and by which they feel threatened. Unfortunately, this reassertion of a sense of self can serve not only to challenge, but to deny the identity and rights of others.

<p align="center">* * *</p>

'Violence and order are bound together' (1) and, in some senses, mutually reinforcing. Premodern rulers sought to control their subjects through the exercise of supposedly legitimate force, to suppress rebellion and acts of treason. Violence was used as a form of control, not only on the battlefield, but at court and in the courts of law. Sometimes just the threat of violence or of retaliation, if credible enough, was sufficient to keep rivals in line and to uphold order. The wielding of superior force, including weaponry, as a deterrent to adversaries or would-be criminals is universal. Over time, official bodies such as the police have assumed this role, and the use of supposedly reasonable and proportionate force allowed for the arrest, restraint and detention of miscreants by the authorities. In the premodern world, Jews might be afforded precarious legal protection by rulers but, on the whole, the law sought to protect mainstream society from non-conformists who were identified as sources of disorder. Today, we depend on the law protecting us, all of us. But what happens when it fails to do so? What about those who fear being racially profiled or sexually exploited by the very people who are supposed to protect them or those who continue to fall outside the law or are deemed to do so through their actions or identities? Throughout history, the violent imposition of 'civilization' on the supposedly uncivilized – variously labelled according to context as barbarians, pagans, unbelievers, undesirables, untouchables, deviants, etc. – has resulted in destruction, dispersal, persecution, dispossession, enslavement and disenfranchisement being the lot of peoples around the globe.

This volume asserts the importance of establishing the meaning of violence and its relationship to order in the past, including the logic and rationale for that violence. The motives and drivers for violence may change and, therefore, need to be understood on their own terms. It should go without saying that we should not dismiss people in the past or from other cultures as irrational, uneducated and superstitious because their belief systems may differ from our own. Their behaviour is often entirely rational and reasonable in the cultural context or understanding of its time. How else can we explain why premodern people were prosecuted for witchcraft by highly educated judges?[15] Present-day accusations of irrational behaviour are often served with huge helpings of hypocrisy and a large sprinkling of condescension. Our reasoning is only as good as the sources, arguments and data on which it relies. Any of us when sufficiently provoked may react irrationally or violently, and who should judge whether we have responded reasonably or proportionately? At the same time, to understand and explain is not to condone or excuse. Violence often makes us recoil, but we have to recognize how central it is to the human condition and to maintaining and changing social and political structures. We need to avoid making sweeping generalizations about the progress of human history. Essays such as these provide the necessary nuance to allow us to do so, and to complicate the meaning and impact of violence in people's lives.

Notes

1. Dwyer, "Violence and Its Histories" [Special issue "Theorizing Histories of Violence"], also Carroll, "Thinking with Violence."
2. Pinker, *The Better Angels of Our Nature*; Dwyer and Micale, *The Darker Angels of Our Nature* and their special issue of *Historical Reflections/Réflexions historiques*, 44, 1 (2018).
3. Beik, *A Social and Cultural History*, 276.
4. Roberts, "French Historians and Collective Violence"; Roberts, "Violence by Royal Command."
5. Greengrass, "Hidden Transcripts: Secret Histories and Personal Testimonies," 69.
6. Carroll, *Blood and Violence in Early Modern France*, 330; Carroll, "Violence, Civil Society and European Civilization."
7. Carroll, *Blood and Violence*, 331.
8. Beik, "The Violence of the French Crowd," 107.
9. Desan, "Crowds, Community and Ritual," 64–6, 71.
10. The literature on this topic is vast, but useful reading includes Hall and Malcolm, "Sexual and Family Violence in Europe"; Hardwick, "Early Modern Perspectives on the Long History."
11. Roberts, "French Historians and Collective Violence," 72, and for further discussion of this point.
12. Jenner, "The Great Dog Massacre."
13. Garthine Walker, "Rereading Rape and Sexual Violence," 5.
14. I discuss this point further in "French Historians and Collective Violence," 74.
15. For the fullest and most compelling discussion of this point, see Clark, *Thinking with Demons*.

Disclosure Statement

No potential conflict of interest was reported by the author(s).

Bibliography

Beik, William. "The Violence of the French Crowd from Charivari to Revolution." *Past and Present* 197 (2007): 75–100.

Beik, William. *A Social and Cultural History of Early Modern France*. Cambridge: Cambridge University Press, 2009.

Carroll, Stuart. *Blood and Violence in Early Modern France*. Oxford: Oxford University Press, 2006.

Carroll, Stuart. "Thinking with Violence." *History and Theory* 56, no. 4 (Dec. 2017): 23–43.

Carroll, Stuart. "Violence, Civil Society and European Civilization, 1500–1800." In *The Cambridge World History of Violence*, edited by Robert Antony, Stuart Carroll, and Caroline Dodds Pennock, iii, 660–678. Cambridge: Cambridge University Press, 2020.

Clark, Stuart. *Thinking with Demons. The Idea of Witchcraft in Early Modern Europe*. Oxford: Oxford University Press, 1997.

Desan, Suzanne. "Crowds, Community and Ritual in the Work of E.P. Thompson and Natalie Davis." In *The New Cultural History*, edited by Lynn Hunt, 47–71. Berkeley: California University Press, 1989.

Dwyer, Philip. "Violence and Its Histories: Meanings, Methods, Problems." *History and Theory* 56, no. 4 (2017): 7–22.

Dwyer, Philip G., and Marc S. Micale, eds. *The Darker Angels of Our Nature. Refuting the Pinker Theory of History and Violence*. London: Bloomsbury, 2021.

Dwyer, Philip G., and Marc S. Micale. "Introduction: History, Violence, and Steven Pinker." *Historical Reflections/Réflexions historiques* 44, no. 1 (2018): 1–5.

Greengrass, Mark. "Hidden Transcripts: Secret Histories and Personal Testimonies of Religious Violence in the French Wars of Religion." In *The Massacre in History*, edited by Mark Levene and Penny Roberts, 69–88. New York: Berghahn, 1999.

Hall, Dianne, and Elizabeth Malcolm. "Sexual and Family Violence in Europe." In *The Cambridge World History of Violence*, edited by Robert Antony, Stuart Carroll, and Caroline Dodds Pennock, iii, 274–291. Cambridge: Cambridge University Press, 2020.

Hardwick, Julie. "Early Modern Perspectives on the Long History of Domestic Violence: The Case of Seventeenth-Century France." *Journal of Modern History* 78, no. 1 (2006): 1–36.

Jenner, M. S. R. "The Great Dog Massacre." In *Fear in Early Modern Society*, edited by William G. Naphy and Penny Roberts, 184–208. Manchester: Manchester University Press, 1997.

Pinker, Steven. *The Better Angels of Our Nature. Why Violence Has Declined.* New York: Viking and Penguin, 2011.

Roberts, Penny. "French Historians and Collective Violence." *History and Theory* 56, no. 4 (Dec. 2017): 60–75.

Roberts, Penny. "Violence by Royal Command: A Judicial 'Moment' 1574–1575." *French History* 33 (2019): 199–217.

Walker, Garthine. "Rereading Rape and Sexual Violence in Early Modern England." *Gender and History* 10 (1998): 1–25.